

Message

From: Robinson, Valois [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A4217A71307D4429B7BDC7C80EB40C7D-SHEA, VALOIS]
Sent: 12/9/2020 12:07:29 AM
To: Julie Santella [sante076@umn.edu]
Subject: RE: EPA issued final permits for the Dewey-Burdock uranium site: weblink to EPA documents

Hi Julie,

To follow-up on my previous email message: appeal of the EJ and Tribal consultation processes would go to the EAB and have the 30 deadline (Dec 24).

Valois

Valois Robinson
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Underground Injection Control Program
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(303) 312-6276
robinson.valois@epa.gov

From: Robinson, Valois
Sent: Saturday, December 5, 2020 3:23 PM
To: Julie Santella <sante076@umn.edu>
Subject: RE: EPA issued final permits for the Dewey-Burdock uranium site: weblink to EPA documents

Hi Julie,

The permits are appealed to the Environmental Review Board and that deadline is December 24th.

Here is the link to FAQs:

https://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/General+Information/Frequently+Asked+Questions?OpenDocument

The info you are seeking begins with #19.

Here is the info for electronic submission to the EAB.

https://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/General+Information/Electronic+Submission?OpenDocument

I think contesting the EPA's EJ and Tribal Consultation process related to the permits is different. I will check in with our attorney on Monday and get back to you about that.

I think you saw the info about appealing the aquifer exemption, but here it is again:

Appeals of the aquifer exemption associated with the Dewey Burdock Class III Area Permit must be filed in accordance with 42 USC § 300j-7, not 40 CFR § 124.19, because it is a final agency action independent from the permit. See *In re Florence Copper*, 17 EAD 406, 419 (EAB 2017). Pursuant to 40 CFR § 23.7, the 45-day period discussed in 42 USC § 300j-7(a)(2) begins

two weeks after the date of signature of the aquifer exemption. Therefore, appeals of this aquifer exemption have to be filed by January 22, 2021.

<https://www.epa.gov/uic/epa-dewey-burdock-class-iii-and-class-v-injection-well-final-area-permits>

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From: Julie Santella <sante076@umn.edu>
Sent: Saturday, December 5, 2020 2:08 PM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Subject: Re: EPA issued final permits for the Dewey-Burdock uranium site: weblink to EPA documents

Hi Valois,

I understand the appeal period for these permit decisions is 30 days. Could you please confirm the date by which petitions to appeal are due and the form that such petitions should take?

Sincerely,
Julie

On Tue, Nov 24, 2020 at 8:38 PM Robinson, Valois <Robinson.Valois@epa.gov> wrote:

Hello All,

I am going to send emails to everyone on the Dewey-Burdock contact list this evening, but wanted to contact you all first.

EPA has issued final UIC Permits for the Dewey-Burdock uranium recovery project. You can find EPA's response to public comments document and other permit-related documents on the EPA Regional UIC website at:

<https://www.epa.gov/uic/epa-dewey-burdock-class-iii-and-class-v-injection-well-final-area-permits>

Please contact me if I can be of any assistance while you review these documents. I am working from home, so this email address is the best way to contact me.

Valois

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-- Sent from my mobile phone Julie Santella PhD student - Department of Geography, Environment and Society
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